

CG-TEL-CO
Council Grove Telephone
Company, Inc.

P.O. Box 259
1568 S 1000 Rd
Council Grove, KS 66846-0259
620-767-5153
FAX (785) 366-7007

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

May 18, 2016

Re: CC Docket No. 02-33 – Notice of Permissive Detariffing of Wireline Broadband Internet Access Service by Council Grove Telephone Company Inc. – Study Area #411758.

Dear Ms. Dortch:

Pursuant to the Commission's Wireline Broadband Order, Council Grove Telephone Company Inc. hereby provides notice of its intent to discontinue offering wireline broadband internet access service on a tariffed basis. Effective July 1, 2016, Council Grove Telephone Company Inc. plans to offer wireline broadband internet access service on a permissive de-tariffed, common carriage basis.

Please direct any questions to the undersigned.

Sincerely,



Dale L. Jones
CEO

Council Grove Telephone Company Inc.
1568 S. 1000 Road
Council Grove, KS 66846

CC: Tim Schwane - NECA Region Manager
Kansas Corporation Commission
Kansas Governor, Sam Brownback
Secretary of Defense – Special Assistant for Telecommunications

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Ms. Marlene Dortch, Secretary
Federal Communications Commission
May 18, 2016

Notice of Permissive Detariffing of Wireline Broadband Internet Access Service
Effective July 1, 2016

Council Grove Telephone Company
(Study Area 411758)
1568 S. 1000 Road
Council Grove, KS 66846
(620) 767-5153

CC Docket No. 02-33

Council Grove Telephone Company Inc. hereby provides notice that it intends to cease offering wireline broadband internet access service on a tariffed basis. Effective July 1, 2016 Council Grove Telephone Company Inc. will begin offering wireline broadband internet access service on a Title II, common carriage, permissive de-tariffed basis pursuant to paragraph 94 of the Federal Communications Commission's Wireline Broadband Order¹. The geographic areas affected are those Council Grove Telephone Company Inc. exchanges where DSL is technically feasible.

Today, this service is provided to TC Wireless, Inc., ISP. The ISP purchases wireline broadband access service for use as a component in their broadband internet service sold to residential and business consumers. End user service provided will not be affected by discontinuance of the tariffed offering by Council Grove Telephone Company Inc. As stated in the attached customer notice Council Grove Telephone Company Inc. will continue to offer services to existing ISP customers under current rates, terms and conditions until the end of their current term or upon replacement with a Broadband Commercial Agreement. Broadband Commercial Agreements will be made available in a nondiscriminatory manner to any provider desiring to purchase wireline broadband access service for use as a component in its broadband internet service sold to consumers.

Effective July 1, 2016, Council Grove Telephone Company Inc.'s rates, terms and conditions for its permissively de-tariffed wireline broadband access service will be available at its office located at 1568 S. 1000 Road, Council Grove, KS 66846 and on its website at www.tctelco.net.

¹ See *Appropriate Framework for Broadband Access to the Internet Over Wireline Facilities, Universal Service Obligations of Broadband Providers*, CC Docket No. 02-33, WC Docket No. 05-271, Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 14853 (2005). FCC 05-150 (rel. September 23, 2003) ("Wireline Broadband Order").

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May 18, 2016

TC Wireless, Inc.
1568 S. 1000 Road
Council Grove, KS 66614

RE: CC Docket 02-33 – Notice of Permissive De-tariffing of Wireline Broadband Internet Access Service
by Council Grove Telephone Company Inc. - Study Area #411758.

Dear Valued Customer:

Our records indicate that TC Wireless, Inc. is currently purchasing wholesale broadband transport service from Council Grove Telephone Company Inc. under NECA Tariff Number 5 ("Tariff"). This letter is to advise you that Council Grove Telephone Company Inc. study area 411758 will discontinue provision service on July 1, 2016, pursuant to the Tariff. Services will be made available to you on a common carrier, non-tariffed basis. The existing relevant rates, terms and conditions will not change until the end of your term or upon replacement with a Broadband Commercial Agreement. Council Grove Telephone Company Inc.'s rates terms and conditions for its non-tariffed wireline broadband access service will be available at its office located at 1568 S. 1000 Road, Council Grove, KS 66614 and on its website at www.tctelco.net.

The actions described above are taken in accordance with the FCC's Report and Order (FCC 15-150) released September 23, 2015 in Docket No. 02-33. In the order the FCC determined that facilities-based wireline broadband internet service providers could offer their services on a common carrier, permissively de-tariffed basis.

Sincerely,



Dale L. Jones
CEO

Council Grove Telephone Company

Cc: Tim Schwane - NECA Region Manager
Kansas Corporation Commission
Kansas Governor, Sam Brownback
Secretary of Defense – Special Assistant for Telecommunications

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CERTIFICATE OF SERVICE

I Dale L. Jones, CEO, do certify that I have, on this 18th day of May, 2016:

1. Served by first class mail a copy of the foregoing Notice of Permissive Detariffing of Wireline Broadband Internet Access Service for Council Grove Telephone Company, Inc. to the following:

Governor Sam Brownback
Capitol
300 SW 10th Ave., Ste. 2415
Topeka, KS 66612-1590

Secretary of Defense
Attn: Special Assistant for Telecommunications
1400 Defense Pentagon
Washington, DC 20301-1400

Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, KS 66604-4027

2. Serviced via paper copy of the Notice of Permissive Detariffing of Wireline Broadband Internet Access Service to the following:

TC Wireless, Inc.
1568 S. 1000 Road
Council Grove, KS 66846



Dale L. Jones, CEO